IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 1626 OF 2006

Shri Tukaram Bhiku Bhadale. ...Applicant
V/s.
State of Maharashtra. ...Respondent

Shri V.B. Tapkir for Applicant.
Ms.S.U. Gajre, APP for the State.

CORAM : V.M. KANADE, J.

DATED : APRIL 25, 2006

P.C. :-

. Heard learned Counsel for the applicant and learned APP for the State.

. The applicant was arrested on 1st April, 2006 for the offence punishable under Sections 3, 4, 5 of the PITA Act and under Sections 366(a) and 373 of the IPC.

2. It is submitted by the learned Counsel for the applicant that the applicant is the owner of the premises where other accused is carrying on business and at this place where the police had raided and arrested the other accused. It is submitted that the applicant had given this place on leave and license to accused

no.2 for a period of eleven months. It is submitted that when the police raided the premises, they found that accused nos.2 and 3 were doing the business of prostitution with the help of accused nos. 5 to 11 who are girls of different ages. It is submitted that since the applicant had given the hotel premises on rent, he was not concerned in any manner with the activity of the other accused. Learned Counsel also invited my attention to the leave and license agreement which was executed by him.

3. The material on record clearly indicates that the applicant was merely owner of the premises and he had given it on Leave and License to accused no.2. There is no material on record, therefore, to indicate that the applicant was having knowledge or was co-conspirator in running the prostitution racket. The applicant, therefore, has made out a case for grant of bail.

4. The applicant be released on bail in the sum of Rs.5000/- with one or two sureties in the like amount.

The applicant shall co-operate to the Investigating Officer and shall report to the police station as and when called till the filing of the charge-sheet and thereafter, once in a month.

. The application is disposed of.

(V.M. Kanade, J.)